

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peter Szor

Assignee: Symantec Corporation

Title: PROACTIVE PREVENTION OF POLYMORPHIC SMTP WORMS

Serial No.: 10/763,731 Filed: January 22, 2004

Examiner: Unknown Group Art Unit: 2141

Docket No.: SYMC1042

Santa Monica, CA

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION

Peter Szor does hereby depose, declare and say as follows:

Based on information and belief, at least some of the technology described in Szor, U.S. Patent Application Publication 2004/0015726 A1, published on Jan. 22, 2004, U.S. Patent Application Serial No. 10/255,658, filed on September 25, 2002, entitled "PREVENTING E-MAIL PROPAGATION OF MALICIOUS COMPUTER CODE", was in public use and/or on sale in this country more than one year prior to the filing date of January 22, 2004 of the above application.

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such

willful false statements may jeopardize the validity of the application or any patent issued thereon.

08.19.2004

Date

Signature

Peter Szor

Chief Researcher